

AWO's Responsible Carrier Program, which is designed to achieve improved safety performance by members of AWO and their towing service vendors. Thus, Kirby Corporation is playing a central role in the ongoing quest for safer and cleaner waterways for the good of the nation's public, marine industry personnel, and the environment.

Mr. Peterkin's contributions to the marine transportation industry also include innovations in marine vessel design and operations. For example, Mr. Peterkin spearheaded the introduction of the "air controller" design for towboat wheelhouses. This design provides pilots with an unobstructed, panoramic view from the wheelhouse and has helped to avoid countless accidents since it became an industry standard more than three decades ago. Mr. Peterkin also led the industry in advancing automated unmanned towboat engine rooms.

These innovations have helped to make barge transportation the nation's safest and lowest cost method for transporting bulk goods. The ultimate beneficiaries from these innovations are marine industry personnel who enjoy safer work environments and the public that pays lower transportation costs.

Mr. Peterkin has also been active in community service. For over 30 years, he has provided leadership on the Board of Trustees of Texas Children's Hospital, also located in the 25th District, serving as a board member from 1967-present, President 1978-1979, and Chairman of the Board, 1987-1991. He has been instrumental in guiding the development of this world renowned hospital.

Mr. Speaker, whatever he does, George Peterkin's intelligence, enthusiasm, and integrity serves him and all those he encounters well. He brings a tireless energy, an unflagging drive, and a passionate caring to each of his endeavors, wearing many hats along the way. His contributions to the nation's marine industry and the community are truly commendable.

INTRODUCTION OF THE DIGITAL JAMMING ACT OF 1998

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. MARKEY. Mr. Speaker, I rise to introduce the Digital Jamming Act of 1998. The growing incidents of "spamming," and "cramming," and "slamming" in our telecommunications arena represent an important series of consumer protection issues that need to be addressed by the Congress or by appropriate regulatory agencies. I am using the term "jamming" to describe all 3 consumer protection issues because they are all unscrupulous practices that either jam consumers' bills with unauthorized services or jam our nation's telecommunications networks with unwanted messages in the digital era.

These are, in fact, particularly thorny issues to address because there are multiple players involved in resolving these problems in the telecommunications industry, and in the Federal Government, and at the State level as well. It is hard to find someone these days who has not had first hand experience with one or all of these issues. When someone is "slammed" their telephone carrier is changed without proper authorization and it usually leads to higher bills for slammed customers and a big hassle in clearing everything up.

When someone is subjected to "cramming"—their telephone bill gets filled up with all sorts of new and unauthorized charges. And with the rise of the Internet, the growth of unsolicited electronic messages—or spamming—is becoming the daily, nuisance experience for countless people online and a burden on Internet service providers who often have their systems swamped with spamming traffic. Unfortunately, all three of these issues appear to be growing problems.

The issue of slamming was addressed in the Telecommunications Act of 1996 where unauthorized switches in carrier selection were prohibited and a liability provision for unauthorized charges included in Section 258 of the Communications Act. The FCC is currently in the process of developing rules to further implement that provision and protect the public. I want to encourage the Commission's efforts to crack down on this problem and look forward to the Commission completing any rule revisions in the near future. Moreover, "cramming" is increasingly a billing quandary for consumers across the country who are taken advantage of and I believe that consumers deserve protection from this rising telecommunications affliction.

Finally, the issue of spamming is quickly becoming the bane of many online surfers who log onto their computer only to find their mailbox stuffed with unsolicited electronic messages. Beyond the nuisance factor that massive spamming creates, it also engenders problems associated with the unsolicited sending of indecent material and online fraud perpetrated by a cadre of high tech hucksters who attempt to dupe people online into parting with their money. In addition, the millions of unsolicited e-mail messages clog up the networks of many online providers and this does a terrible disservice to other subscribers to such service and to online commerce generally.

The legislation I am introducing today seeks to help address the spamming issue by building upon work that the Congress performed a few years ago in addressing unsolicited telephone marketing and which is codified in Section 227 of the Communications Act. In that earlier legislation, Congress granted authority to the Commission and authorized, at the Commission's discretion, the creation of a "do-not-call" database for people who no longer wanted to receive unsolicited telemarketing at home. The Commission elected not to utilize this authority in its rulemaking at that time.

I believe it may be worth exploring however, the creation of "do-not-contact" databases for people who want to put a "no soliciting" sign in cyberspace and stop the flood of junk e-mail. This could be done at the Federal or State levels and technology has advanced to a point where this might be a cost-effective and efficient remedy.

The legislation I will introduce will also include provisions building upon Section 258 of the Act to help address slamming and cramming issues. I believe it may be worthwhile to expand liability provisions contained in Section 258 to permit double damages to be paid to consumers—in addition to compensating "slammed" carriers for lost business—as a deterrent to slammers. In addition, the legislation tasks the NTIA in the Commerce Department with the job of conducting an analysis into third-party verification clearinghouses. Because those authorizing switches in carrier selection have a financial interest in making switches, it may be useful to explore the fea-

sibility of giving the verification or authorization functions for switching carriers to a third party—either at the State or Federal levels. NTIA is asked to report back to the Congress on the feasibility and desirability of such a system.

Mr. Speaker, I look forward to working with my colleagues in the House Commerce Committee, Chairman BLILEY, Mr. DINGELL, Chairman TAUZIN, Mr. GORDON, and others on addressing these issues, as well as my other colleagues in the House who have expressed concern on these matters.

MARTZ GROUP PRAISED

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 1998

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to the Martz Group, the nation's largest, privately-held, non-subsidized bus company. The Martz Group is headquartered in my district in Wilkes-Barre, Pennsylvania and this year is celebrating its 90th Anniversary. It has grown from owning a single bus to owning 400 motor vehicles and employing 700 people worldwide.

The Martz Group provides vital services for my constituents. Last month alone, an estimated 2,500 people a day traveled on Martz buses from New York City to Wilkes-Barre, the most populous city in Pennsylvania's Eleventh Congressional District. Both the company and its President/CEO, Frank M. Henry, are very highly regarded in Northeastern Pennsylvania. I speak for many in the Wyoming Valley when I say that we are looking forward to another generation of fine leadership as Scott Henry increases his role in the company.

Mr. Speaker, the history of the Martz Group has been adeptly summarized in a June 14 article by Mary Ondrako for the *Wilkes-Barre Citizens' Voice*. I wish to enter this article in the CONGRESSIONAL RECORD so that my colleagues may be aware of the distinguished history of this company. I wish the Martz Group a happy anniversary and continued success in the future.

[From the *Citizens' Voice*, June 14, 1998]

MARTZ BUSES STILL ROLLIN' ALONG 90 YEARS
LATER

(By Mary Ondrako)

Ninety years and still rolling along is what the Martz Group is celebrating this year.

Founded in 1908 by Frank Martz Sr., the business has grown from a single bus to a transportation empire of nine companies featuring about 400 motor vehicles and 700 employees worldwide.

The largest, privately held, non-subsidized bus company is now under management by Frank Henry and his son, Scott E. Henry. Scott Henry represents the fourth generation of the Martz family. Headquarters are on Old River Road, Wilkes-Barre.

Frank Martz Sr., whom Scott Henry described as an "innovator," back in the 1900s, recognized a need to provide transportation services for people, who like himself, often had to walk to their places of employment despite chilly winters or other inclement weather conditions.

"My great-great grandfather's father ran a company store and he used to have to deliver